

401 KAR 63:020. Potentially hazardous matter or toxic substances.

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
Department for Environmental Protection
Division for Air Quality

Relates to: KRS Chapter 224

Pursuant to: KRS 13.082, 224.033

Necessity and Function: KRS 224.033 requires the Department for Natural Resources and Environmental Protection to prescribe regulations for the prevention, abatement, and control of air pollution. This regulation provides for the control of emissions of potentially hazardous matter and toxic substances.

Section 1. Applicability. The provisions of this regulation are applicable to each affected facility which emits or may emit potentially hazardous matter or toxic substances as defined in Section 2, provided such emissions are not elsewhere subject to the provisions of the regulations of the Division of Air Pollution.

Section 2. Definitions. Terms used in this regulation not defined herein shall have the meaning given to them in 401 KAR 50:010.

- (1) "Classification date" means April 9, 1972.
- (2) "Potentially hazardous matter or toxic substances" means matter which may be harmful to the health and welfare of humans, animals, and plants, including, but not limited to, antimony, arsenic, bismuth, lead, silica, tin, and compounds of such materials.

Section 3. Control of Potentially Hazardous Matter and Toxic Substances.

Persons responsible for a source from which hazardous matter or toxic substances may be emitted shall provide the utmost care and consideration, in the handling of these materials, to the potentially harmful effects of the emissions resulting from such activities. No owner or operator shall allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants. Evaluation of such facilities as to adequacy of controls and/or procedures and emissions potential will be made on an individual basis by the department.

Effective date: June 6, 1979

	Date Submitted to EPA	Date Approved by EPA	Federal Register
Original Reg	JUN 29, 1979	DEC 24, 1980	45 FR 84999